

ADMINISTRATIVE RULE CORRESPONDENCE

Department of Commerce

Date: May 15, 2008

To: Aaron Olver

From: Greg Jones

Rule No.: Chapter Comm 16

Relating To: Electrical construction

Subject: Announcement of Public Hearing

I have attached the required material for the announcement of a public hearing on the proposed rules to update the technical requirements for the installation of electrical wiring and equipment. We are submitting this package to you for your review and approval of the proposed rules. Because the cut off for submission to the legislature is September 1, 2008, we have tentatively set the public hearing for June 18, 2008. Therefore, the secretary's approval will be needed by May 14 to facilitate publication in the end of May Administrative Register.

The proposed rules consist of an update of chapter Comm 16, Electrical Code, including the incorporation by reference of the 2008 edition of the National Electrical Code (NEC) published by the National Fire Protection Association. The update of chapter Comm 16 involves the proposed adoption of the 2008 NEC that requires the installation of tamper-resistant receptacles and arc-fault circuit-interrupter protection in all new dwelling construction. The estimated increase to install tamper-resistant receptacles and arc-fault circuit-interrupters in an average dwelling would be \$215. Also, several current rules that are covered in the 2008 NEC were deleted and other rules were added where the NEC needs clarification or reinforcement. The proposed rules were developed with the assistance of a 13-member advisory council, and the rule draft reflects the recommendations of the council.

Please review the attached material and let me know if you have any questions. If we can proceed with announcing the public hearing, please sign the required forms and letters and return this package to Joe Hertel. We will then schedule the hearing, and prepare and distribute the required packages.

cc. Joe Hertel
Jim Quast
Bob DuPont

Ronald Sklansky, Director
Administrative Rules Clearinghouse
Wisconsin Legislative Council
1 East Main Street, Suite 401
Madison, WI 53703

Dear Mr. Sklansky:

**TRANSMITTAL OF PROPOSED ADMINISTRATIVE RULES
FOR LEGISLATIVE COUNCIL REVIEW**

RULE NO.: Chapter Comm 16

RELATING TO Electrical Construction

Pursuant to section 227.15, Stats., agencies are required to submit copies of the proposed rules to the Legislative Council for review.

The attached proposed rules are in the form and style specified by section 227.14, Stats., and are being forwarded to you for review. Also attached are copies of a transmittal letter to the Legislative Reference Bureau, public notice, fiscal estimate, and initial regulatory flexibility analysis.

Respectfully submitted,

Jack L. Fischer, A.I.A.
Secretary

ADMINISTRATIVE RULE CORRESPONDENCE

Department of Commerce

Date: May 15, 2008

To: Carol Dunn

From: Jack L. Fischer, A.I.A.

Subject: Notification of Proposed Rules Affecting Small Business

Rule No.: Chapter Comm 16

Relating To: Electrical Construction

The attached proposed rules are in the form and style specified by section 227.14 of the Statutes.

I am sending these rules to you for your reference, under section 227.114 (5) of the Statutes. It does not appear that these rules will have a significant effect on small businesses.

Att.

COM-10545 (r. 12/06))

Bruce Hoesly, Code Editor
Legislative Reference Bureau
Suite 200
1 East Main Street
Madison, Wisconsin 53703

Dear Mr. Hoesly:

**TRANSMITTAL OF WRITTEN NOTICE OF HEARING
AND LEGISLATIVE COUNCIL REVIEW**

RULE NO.: Chapter Comm 16

RELATING TO: Electrical Construction

AGENCY UNIT RESPONSIBLE: Commerce

PUBLIC HEARING REQUIRED: ☒ YES ☐ NO

CONTACT PERSON: Joe Hertel TITLE: Program Manager

TELEPHONE: (608) 266-5649 EMAIL: joe.hertel@wisconsin.gov

Pursuant to sections 227.14 (4m) and 227.17, Stats., agencies are required to transmit a written notice of submittal of proposed rules to the Legislative Council and a written notice of hearing to the Legislative Reference Bureau, for publication in the Administrative Register.

On the date on this letter the department is submitting proposed rules to the Legislative Council and is submitting the following material to you:

1. Notice of Public Hearing or 30-Day Notice of Proposed Rulemaking.
2. Fiscal Estimate.
3. Initial Regulatory Flexibility Analysis.
4. Draft of Proposed Rules.

Respectfully submitted,

Jack L. Fischer, A.I.A.
Secretary

STATE OF WISCONSIN
DEPARTMENT OF COMMERCE

**NOTICE OF
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to ss. 101.63 (1), 101.73 (1), 101.82 (1), Stats., the Department of Commerce will hold a public hearing on proposed rules under chapter Comm 16 relating to electrical construction.

The public hearing will be held as follows:

Date and Time:

Wednesday, June 18, 2008
10:00 a.m.

Location:

Thompson Commerce Building
Third Floor Conference Room #3B
201 W. Washington Ave.
Madison, Wisconsin

Interested persons are invited to appear at the hearing and present comments on the proposed rules. Persons making oral presentations are requested to submit their comments in writing. Persons submitting comments will not receive individual responses. The hearing record on this proposed rulemaking will remain open until July 2, 2008, to permit submittal of written comments from persons who are unable to attend the hearing or who wish to supplement testimony offered at the hearing. Written comments should be submitted to Joe Hertel, at the Department of Commerce, P.O. Box 2689, Madison, WI 53701-2689, or Email at joe.hertel@wisconsin.gov.

This hearing is held in an accessible facility. If you have special needs or circumstances that may make communication or accessibility difficult at the hearing, please call (608) 266-8741 or (608) 264-8777 (TTY) at least 10 days prior to the hearing date. Accommodations such as interpreters, English translators, or materials in audio tape format will, to the fullest extent possible, be made available upon a request from a person with a disability.

The proposed rules and an analysis of the proposed rules are available on the Internet at the Safety and Buildings Division Web site at www.commerce.wi.gov/SB/. Paper copies may be obtained without cost from Roberta Ward, at the Department of Commerce, Program Development Bureau, P.O. Box 2689, Madison, WI 53701-2689, or Email at roberta.ward@wisconsin.gov, or at telephone (608) 266-8741 or (608) 264-8777 (TTY). Copies will also be available at the public hearing.

The small business regulatory coordinator for the Department of Commerce is Carol Dunn, who may be contacted at telephone (608) 267-0297, or Email at carol.dunn@wisconsin.gov.

INITIAL REGULATORY FLEXIBILITY ANALYSIS

Department of Commerce

RULE NO.: Chapter Comm 16

RELATING TO: Electrical Construction

1. Types of small businesses that will be affected by the rules.

The proposed rules will affect any business involved with the design and installation of electrical wiring, communication systems or electrical equipment.

2. Reporting, bookkeeping and other procedures required for compliance with the rules.

There are no reporting, bookkeeping or other procedures required for compliance with the rules.

3. Types of professional skills necessary for compliance with the rules.

There are no additional professional skills necessary for compliance with the rules.

4. Rules have a significant economic impact on small businesses.

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No

Rules not submitted to Small Business Regulatory Review Board

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Yes

Rules submitted to Small Business Regulatory Review Board

NOTICE of ENVIRONMENTAL ANALYSIS

Department of Commerce

Rule No.: Chapter Comm 16

Relating to: Electrical Construction

Notice is hereby given that the Department has considered the environmental impact of the proposed rules. In accordance with chapter Comm 1, the proposed rules are a Type III action. A Type III action normally does not have the potential to cause significant environmental effects and normally does not involve unresolved conflicts in the use of available resources. The Department has reviewed these rules and finds no reason to believe that any unusual conditions exist. At this time, the Department has issued this notice to serve as a finding of no significant impact.